

## Retired Officer CCW Endorsements

### 363.1 PURPOSE AND SCOPE

The purpose of this policy is to outline the process and conditions associated with the issuance, revocation, and denial of an endorsement to Carry Concealed Weapons (CCW) for retired officers of this department.

### 363.2 AUTHORITY AND REFERENCES

- 830.5(a) PC;
- 12027.1 PC;
- 25455 PC;
- 26305 PC;
- 25470(a) PC;
- 25465 PC;
- 25460 PC;
- 18 USC 926C and D;
- 26315 PC;
- 26320 PC;
- 26312 PC;
- Executive Committee.

### 363.3 QUALIFIED RETIREES

Any full-time sworn officer of this department who at any time during their employment with the department was authorized to, and did, carry a firearm during the course and scope of his/her employment shall be issued an identification card following an honorable retirement (Penal Code § 25455) and would be eligible to apply for a CCW endorsement.

- (a) For the purpose of this policy, honorably retired includes all peace officers who have qualified for, and accepted, a service or disability retirement, however, shall not include any officer who retires in lieu of termination or other discipline.
- (b) No CCW Approved endorsement shall be issued to any officer retiring because of a psychological disability (Penal Code § 26305).

### 363.4 MAINTAINING A CCW ENDORSEMENT

In order to maintain a "CCW Approved" endorsement on an identification card, the retired officer shall:

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- (a) Submit to a record check: DMV; local criminal history record; Child Abuse Central Index; FBI and DOJ record match by name and fingerprints. Subarrest notifications shall be provided to the department by the Department of Justice (25475(c) PC).
- (b) Be responsible for maintaining their eligibility to carry a concealed firearm, which will include annual qualification at the officer's expense according to standards set by the Probation Department's Rangemaster. A copy of a certificate of eligibility must be submitted to the Chief Probation Officer through the Probation Human Resources Division annually. Failure to do so may result in the revocation of the CCW endorsement under good cause (25470(a) PC).
- (c) Remain subject to all department rules and policies as well as all federal, state and local laws. It shall be the responsibility of the Probation Human Resources Division Director or designee to notify retirees with current CCW endorsements of any changes in department rules and policies that impact them.
- (d) Apply for renewal every five years unless otherwise indicated by law (25465 PC). The CCW endorsement terminates at the five-year anniversary expiration date unless the endorsement is renewed.

#### **363.5 CARRYING FIREARMS OUT OF STATE**

Subject to 18 USC § 926C, and other applicable policies, qualified retired officers of this department may request to be authorized to carry a concealed weapon in other states.

Pursuant to 18 USC § 926D, retired officers must qualify annually with their firearm using the course of fire approved by the department and at the retired officer's expense.

#### **363.6 IDENTIFICATION CARD FORMAT**

The identification card issued to any qualified and honorably retired officer shall be two inches by three inches and minimally contain the following (Penal Code § 25460):

- (a) Photograph of the retiree.
- (b) Retiree's name and date of birth.
- (c) Date of retirement.
- (d) Name and address of this department.
- (e) A stamped endorsement "CCW Approved" along with the date by which the endorsement must be renewed. In the case in which a CCW endorsement has been denied or revoked, the identification card shall be stamped "No CCW Privilege".

#### **363.7 DENIAL OR REVOCATION OF STATE CCW ENDORSEMENT**

The CCW endorsement under Penal Code § 25470 for any officer retired from this department may be denied or permanently revoked only upon a showing of good cause. Any denial or revocation under this section shall also be considered disqualification under 18 USC § 926C(d). The CCW endorsement may be immediately and temporarily revoked by the Chief Probation Officer or

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designee when the conduct of a retired peace officer compromises public safety. Good cause, if challenged, shall be determined in the following manner:

- (a) In the event that a CCW endorsement is initially denied, the retired officer shall have 15 days from the date of denial to request a formal hearing. The failure to submit a timely written request for a hearing shall be deemed a waiver of such right. The hearing, absent written agreement between the parties, shall be held no later than 120 days after the request is received.
- (b) Prior to revocation of any CCW endorsement, the Department shall provide the affected retiree with written notice of a hearing by either personal service or first class mail, postage prepaid, return receipt requested to the retiree's last known address (Penal Code § 26315).
  - 1. The retiree shall have 15 days from the date of service to file a written request for a hearing.
  - 2. The hearing, absent written agreement between the parties, shall be held no later than 120 days after the request is received (Penal Code § 26315).
  - 3. The failure to submit a timely written request for a hearing shall be deemed a waiver of such right.
- (c) The hearing for the denial or revocation of any CCW endorsement shall be conducted before a hearing board composed of three members, one selected by the Department, one selected by the retiree or his/her employee organization and one selected jointly (Penal Code § 26320).
  - 1. The decision of such hearing board shall be binding on the Department and the retiree.
  - 2. Any retiree who waives the right to a hearing or whose CCW endorsement has been revoked at a hearing shall immediately surrender his/her identification card. The Department will then reissue a new identification card which shall be stamped "No CCW Privilege".

#### 363.7.1 DEPARTMENT RESPONSIBILITY

Employees who have reason to suspect a retiree's conduct has compromised public safety should notify the Probation Human Resources Division Director as soon as practicable. The director or designee should take the following steps in these instances:

- (a) Take appropriate steps to promptly look into the matter.
- (b) If warranted, contact the retiree in person and advise him/her in writing of the following:
  - 1. The retiree's CCW endorsement is immediately and temporarily revoked.
  - 2. The retiree will have 15 days to request a hearing to determine whether the temporary revocation should become permanent.
  - 3. The retiree will forfeit his/ her right to a hearing and the CCW endorsement will be permanently revoked if the retiree fails to respond to the notice of hearing within the 15-day period.

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- (c) A current copy of Penal Code §§ 26305, 26312 and 26315 should be attached to the written notice.
- (d) In the event that personal contact with the retiree cannot be reasonably achieved in a timely manner, the Probation Human Resources Division Director or designee should attempt to make the above notice of temporary suspension through another peace officer. For example, if a retiree was arrested or detained by a distant agency, the director may request that a peace officer of that agency act as the Department's agent to deliver the written notification.
- (e) Notification of the temporary suspension should also be promptly mailed to the retiree via first class mail, postage prepaid, return receipt requested (Penal Code § 26312).
- (f) The Probation Human Resources Division Director should document in a memo the investigation, the actions taken, and, if applicable, any notification made to the retiree. The memo should be forwarded to the Chief Probation Officer.

Date(s) revised:

10/10/2014

05/14/1994

Created: 02/28/2011

Attachments:

[1. Request for Authorization to Carry a Concealed Weapon](#)

**REQUEST FOR AUTHORIZATION TO CARRY A CONCEALED WEAPON**

To: Chief Probation Officer

From: \_\_\_\_\_

Subject: Request for Authorization to Carry a Concealed Weapon (CCW) as a Retired Peace Officer.

I request CCW authorization effective with my retirement from the Department. I understand that I must have been authorized to carry a firearm while assigned to an armed Riverside County Probation unit, and that stress retirement or retirement in lieu of termination or other discipline are disqualifying factors. I understand that this authorization, if granted, must be renewed every five years. I agree to I have read and understood Policy: RETIRED OFFICER CCW ENDORSEMENTS and agree to adhere to the provisions of this policy.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Applicant

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First Endorsement

To: Chief Probation Officer

From: Probation Human Resources Division Director

The requesting Officer (was/was not) authorized to be armed and assigned to an armed Riverside County Probation unit, and his/her retirement (is/is not) due to psychological disability or in lieu of termination or other discipline.

Record clearance (did/did not) reveal any disqualifying information.

Recommend Approval

Recommend Denial

\_\_\_\_\_  
Date

\_\_\_\_\_  
Personnel Services Division Director

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Second Endorsement

To: Probation Human Resources Division Director

From: Chief Probation Officer

Permission to carry a concealed weapon as a retiree is:  Approved  Denied

\_\_\_\_\_  
Date

\_\_\_\_\_  
Chief Probation Officer/Designee

**REQUEST FOR AUTHORIZATION TO CARRY A CONCEALED WEAPON (CCW) AS A  
RETIRED PEACE OFFICER**

I, \_\_\_\_\_, attest that I have not violated any Riverside County Probation Department policy or procedure, or state or federal law that if violated by an officer on active duty would result in that officer's arrest, suspension, or removal from the agency.

I declare that the concealed weapon will be used for personal use only and will not be utilized in the course of any employment.

I agree to maintain my ability to carry a concealed firearm and shall qualify with the firearm at least annually. I will provide an annual qualifying certificate or statement to the Chief Probation Officer or designee through the Probation Human Resources Division.

I agree to report any changes in my medical and psychological fitness to carry a firearm to the Chief Probation Officer or designee.

I agree to report any change in address or residence to the Chief Probation Officer or designee.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Retired Peace Officer